

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA

vs.

CASE NO 3:99CR00337-001 (HL)

JULIO CASANOVA-OTERO

**MOTION NOTIFYING VIOLATIONS OF THE SUPERVISION TERM
AND REQUESTING THE ISSUANCE OF A WARRANT OF ARREST**

**TO THE HONORABLE HECTOR M. LAFFITTE
SENIOR UNITED STATES DISTRICT JUDGE
DISTRICT OF PUERTO RICO**

COMES NOW, ABNER VALCARCEL, U.S. PROBATION OFFICER of this Court, and
respectfully informs as follows:

On July 14, 2005, a motion was filed requesting that the offender's conditions were modified to include mental health treatment and search and seizure. On July 20, 2005, our motion was granted.

Since the filing of the last motion, the offender has violated the following conditions of his supervised release term:

**1. MANDATORY CONDITION - "THE DEFENDANT SHALL REFRAIN FROM ANY
UNLAWFUL USE OF A CONTROLLED SUBSTANCE. THE DEFENDANT SHALL SUBMIT TO
ONE DRUG TEST WITHIN THE FIRST 15 DAYS OF RELEASE FROM IMPRISONMENT AND AT
LEAST TWO PERIODIC DRUG TESTS THEREAFTER"**

The offender have tested positive to cocaine and opiates on several occasions. Moreover, he has failed to report for drug testing on several occasions as well which are considered technical positives.

Efforts were conducted and ample opportunities were given to help the offender deal with his relapse to drug use. Mr. Casnova-Otero was referred for detoxification on January 23, 2006.

However, information was received from Hogar San Jose that offender left the program without authorization on January 26, 2006.

2. STANDARD CONDITION NO. 2- “THE DEFENDANT SHALL REPORT TO THE PROBATIONER OFFICER AS DIRECTED BY THE COURT OR THE PROBATION OFFICER...”

The offender failed to report to our office on January 18, 2006. Moreover, since the offender left the detoxification program, he has not reported to the office nor contacted the U.S. Probation Officer.

WHEREFORE, I declare under penalty and perjury that the foregoing is true and correct. It is respectfully requested that a warrant for the offender’s arrest be issued so that he may appear before this Court to show cause why his supervision term should not be revoked. Thereupon, that he to be dealt with pursuant to law.

In San Juan, Puerto Rico, this 27th day of January 2006.

Respectfully submitted,

EUSTAQUIO BABILONIA, CHIEF
U.S. PROBATION OFFICER

s/Abner Valcarcel
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CERTIFICATE OF SERVICE

I HEREBY certify that on January 27, 2006, I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system and copy of this document was mailed to the following:

Sonia I. Torres, Assistant U.S. Attorney and Joseph C. Laws, Federal Public Defender

In San Juan, Puerto Rico, this 27th day of January 2006.

s/Abner Valcarcel
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